

HOUSE BILL 1280
By Overbey

AN ACT to amend Tennessee Code Annotated, Title 10,
Chapter 7 and Title 68, Chapter 3, relative to birth
certificates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-3-205(d)(2)(A), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(A) Notwithstanding any other provision of this chapter or any rule promulgated thereto to the contrary, an application for a marriage license and the authenticating document for the events of death, marriage, divorce, or annulment of marriage, whether maintained or stored by or in the possession of a county clerk, court clerk, state registrar or other custodian authorized by the state registrar, shall be considered a public record and further, that verified information from such documents may be provided upon request. A birth certificate is not a public record under this chapter or title 10, chapter 7, part 5, and copies may be only be obtained pursuant to subdivision (d)(2)(E), subsection (e), or by court order. Nothing in this section shall be construed to permit the disclosure of information contained in the "information for medical and health use only" section of the birth certificate or the "Confidential Information" section of the certificate of marriage or certificate of divorce or annulment unless specifically authorized by the state registrar for statistical or research purposes. Such data is not subject to subpoena or court order and is not admissible before any court or judicial body.

SECTION 2. Tennessee Code Annotated, Section 68-3-205(d)(2)(E), is amended by adding the following language at the end of the subdivision:

The department shall require proof of identity from persons requesting copies of birth certificates.

SECTION 3. This act shall take effect July 1, 2005, the public welfare requiring it.